

DECISION**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D. C. 20548**FILE:** B-213777**DATE:** August 8, 1986**MATTER OF:** Richard E. Garofalo - Temporary Duty
Lodging and Other Expenses**DIGEST:**

1. An employee who performed temporary duty travel asserted a claim for lodging expenses incident to that travel. That claim was denied in decisions B-213777, October 2, 1984, and June 3, 1985, since Federal Travel Regulations, paragraph 1-8.5 requires documentation of lodging expenses and documents submitted failed to convincingly support his claim. He has now provided additional information. Since that information demonstrates both payment and the amount thereof, the claim may now be allowed.
2. An employee who was being reimbursed temporary duty travel on an actual expense basis asserted a claim for laundry and dry cleaning expense. Normal laundry and dry cleaning is deemed an accumulated expense and is to be pro rated over temporary duty period. Since his total daily expenses were considerably less than the maximum daily rate authorized, he may be reimbursed the daily pro rata cost of laundry and dry cleaning during that period.
3. Employee used quarters during temporary duty that did not have telephone service included within the cost of the quarters. He may be reimbursed as part of his cost of lodgings for the monthly service charge for telephone service, but he may not be reimbursed for installation charge absent a finding that the installation of the telephone was a matter of official necessity.

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This decision is in response to a letter from Mr. Richard E. Garofalo, requesting further consideration of his claim for reimbursement of lodging expenses incurred incident to temporary duty performed in Newport, Rhode Island. He is also claiming entitlement to telephone and laundry/dry cleaning expenses during the same period. For the reasons set forth below, his claim is allowed, subject to the condition discussed regarding telephone expenses.

Mr. Garofalo's claim for lodging expenses was the subject of our decisions B-213777, October 2, 1984, and June 3, 1985. While we held in those decisions that he was in a temporary duty status in Newport, Rhode Island, effective October 22, 1981, we denied him reimbursement for his claimed lodging expense. That denial was based on a finding that the documents submitted by him to support his claim were inadequate both as to proof of the amount he paid and the fact that these payments were actually received by the owner of the property occupied.

Mr. Garofalo's claim for lodging expenses while in Newport during the period in question was for \$1,200. In support of that claim, he has now provided this Office with a notarized affidavit from the owner of the residence where he stayed, in which she states that she received \$1,040 (\$1,200, less commission), as rental payments from the real estate agent with whom Mr. Garofalo had been dealing.

We sought the views of the agency on the latest evidence submitted by Mr. Garofalo. The view expressed in correspondence received from the Navy Finance and Accounting Center, is that Mr. Garofalo is not entitled to lodging reimbursement, citing to paragraph C-4552-2n of Volume 2 of the Joint Travel Regulations (2 JTR) and our decision B-217989, September 17, 1985. The basis for that view is that the owner of the residence at which Mr. Garofalo was staying had been identified as someone with whom Mr. Garofalo was acquainted by virtue of the fact that he had resided there for nearly a year prior to his transfer from Newport and his return on temporary duty.

In our decision B-217989, above, we ruled, in part, that where an employee occupies noncommercial lodgings

while on temporary duty he may not be reimbursed for amounts paid his host based upon an amount calculated on the basis of charges for comparable commercial lodgings. We said further, that in the absence of evidence of the expenses incurred by the host, only a reasonable minimal daily amount as established under agency regulation would be reimbursable.

Paragraph C-4552-2n of Volume 2, JTR provides, in part:

"* * * If an employee utilizes lodging furnished by a friend or relative while traveling on temporary duty, the average cost of lodging, for the purpose of computing per diem, will be zero."

We do not believe that our decision B-217989, and 2 JTR paragraph C-4552-2n are necessarily controlling in the present case. The mere fact that an employee on temporary duty is a friend or acquaintance of a "host," or that his lodgings are provided in a private residence as opposed to a commercial motel, would not automatically serve to deny the employee lodging expense reimbursement. Regardless of how the phrase "commercial lodgings" might be defined, we cannot ignore the fact that there are those individuals who own large residences and who are in the business of renting quarters to transients by the day, week or month, as a source of income.

It appears from the file that the owner of 21 Coddington Wharf was engaged in that type of commercial enterprise. In view thereof, Mr. Garofalo's lodging expense claim may be allowed.

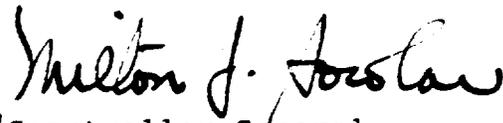
Laundry and dry cleaning

Mr. Garofalo's laundry/dry cleaning claim is \$54.40 for the period of December 10, 1981, to January 26, 1982. The incurring of expenses of normal laundry and dry cleaning, although paid for sporadically during an extended period of temporary duty, is considered an accumulated expense, and such cost shall be evenly distributed over the temporary duty period. 1 Comp. Gen. 403 (1922).

Effective December 6, 1981, Newport, Rhode Island, was newly designated as a high rate geographical area (GSA Bulletin FPMR A-40, Supp. 2, November 10, 1981), with a prescribed maximum daily rate for reimbursement of actual expenses of \$59. Mr. Garofalo's travel vouchers and other supporting documents show that he was in a temporary duty status between December 6, 1981, and January 26, 1982, for 46 days. For this period, he has claimed a total of \$54.40, or an average of \$1.19 per day for laundry and dry cleaning. Since the combination of his lodging and subsistence expense claimed for each day was well under that maximum daily rate, and not unreasonable, his reimbursements for those days may be increased by the pro rata laundry and dry cleaning expense of \$1.19 per day.

Telephone expense

Mr. Garofalo has included a claim for \$29.85 for "monthly telephone." We do not have copies of the relevant telephone bills, so we cannot say what is covered by this claim. We have held that the monthly telephone service charge may be reimbursed as part of an employee's lodging expenses where the quarters used do not include the cost of telephone service within their rental charge. However, an employee may not be reimbursed for the telephone installation charge absent a finding that the installation was a matter of official necessity. Susan P. Covell, B-191415, October 17, 1978. Thus, to the extent Mr. Garofalo can demonstrate that the amount claimed for telephone service does not include an installation charge, the cost of telephone service may be pro rated over the period of his temporary duty as part of the cost of his lodging as long as the maximum per diem and actual subsistence rates are not exceeded.

for 
Comptroller General
of the United States